

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0438-01
Bill No.: SB 240
Subject: Education, Elementary and Secondary; Elementary and Secondary Education
Department; Boards, Commissions, Councils, Committees
Type: Original
Date: March 31, 2011

Bill Summary: This proposal changes the requirements for anti-bullying policies.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Local Government	\$0	(Unknown - Could exceed \$100,000)	\$0

FISCAL ANALYSIS

ASSUMPTION

According to officials from the **Office of Secretary of State (SOS)**, many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the proposal. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

According to officials from the **Joint Committee on Administrative Rules (JCAR)**, this proposal should not create any additional fiscal impact above current appropriations to JCAR.

Officials from the **Department of Elementary and Secondary Education** indicate there is no fiscal impact to their agency. Local school districts might incur additional printing costs to implement this proposal. In addition, depending upon the level of training required by each school district for its school employees and volunteers, there could be significant unknown costs.

Officials from the **Parkway School District** state there is no fiscal impact to their district.

In response to a similar proposal from last year (SB 946 FN 5041-01), the following school districts provided assumptions regarding fiscal impact:

Officials from the **Independence School District** and the **Special School District of St Louis County** anticipate no fiscal impact to their respective school districts as a result of this proposed legislation.

Officials from the **Francis Howell School District** anticipate the cost for developing posters of policy to be "conspicuously" placed in buildings at \$1,800.

Officials from the **Sikeston School District** assume the proposed legislation, as written, would result in unknown costs to implement the legislation.

ASSUMPTION (continued)

Oversight assumes costs to school districts as a result of this proposal would most likely be during the first year of implementation (FY 13) and costs in subsequent years would be minimal. Assuming each district spent an minimum of \$200 to implement the provisions outlined in the proposed legislation, **Oversight** assumes, for fiscal note purposes only, that costs are unknown, but could exceed \$100,000.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
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LOCAL POLITICAL SUBDIVISIONS

Cost - School Districts - Development, training, and printing costs

	(Unknown - Could exceed \$100,000)	
<u>\$0</u>	<u>\$100,000</u>	<u>\$0</u>

**ESTIMATED NET EFFECT ON
LOCAL POLITICAL SUBDIVISIONS**

	(Unknown - Could exceed \$100,000)	
<u>\$0</u>	<u>\$100,000</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This proposed legislation modifies the requirements for school anti-bullying policies. The definition of "bullying" is modified to include discrimination and to include actions that substantially interfere with a student's educational performance, opportunities, or benefits, or that substantially disrupt the orderly operation of the school. The definition of bullying is also modified to include cyberbullying and electronic communication. Bullying is prohibited by school employees or students on school property, at school functions, or on school buses. This

FISCAL DESCRIPTION (continued)

proposal removes the requirement that school policies treat all students equally and not identify lists of protected classes of students. Instead, bullying that is based on characteristics or categories, as described in the proposal, is prohibited.

School district policies must contain the following: a statement prohibiting bullying, including a definition of bullying, as described in the proposal; a statement requiring district employees to report an instance of bullying of which an employee has reliable information; a procedure for reporting an act of bullying, including anonymous reporting, as described in the proposal; a procedure for prompt investigations; how a school will respond to a confirmed incident of bullying; a statement prohibiting reprisal or retaliation against a person who reports an act of bullying; a statement of how the policy will be made public; a process for discussing the policy with students and training employees and volunteers; and a procedure for implementing and maintaining annual confidential surveys of students and school employees that measure their perception and experiences of harassment and discrimination.

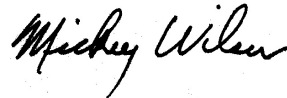
The State Board of Education shall develop model anti-bullying policies to assist school districts no later than September 1, 2012.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
School Districts

Parkway
Special School District of St Louis County
Sikeston
Francis Howell
Independence



Mickey Wilson, CPA
Director
March 31, 2011